

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Lance K. Henderson,

Petitioner,

v.

State of California,

Respondent.

No. 2:20-cv-1305-KJM-DB

ORDER

The court is in receipt of petitioner Lance Henderson's post-judgment request for an evidentiary hearing. ECF No. 11. Because that request was filed within twenty-eight days of the judgment, the court construes it as a motion for relief under Federal Rule of Civil Procedure 59(e). *See Am. Ironworks & Erectors, Inc. v. N. Am. Const. Corp.*, 248 F.3d 892, 898–99 (9th Cir. 2001). "Under Rule 59(e), a motion for reconsideration should not be granted, absent highly unusual circumstances, unless the district court is presented with newly discovered evidence, committed clear error, or if there is an intervening change in the controlling law." *389 Orange St. Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999) (citation omitted). Petitioner's request does not satisfy this standard and is **denied**. Any future requests for relief on similar grounds will be disregarded.

This order resolves ECF No. 11.

IT IS SO ORDERED.

DATED: March 15, 2021.


CHIEF UNITED STATES DISTRICT JUDGE